

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SIMONE SYKES, Individually and as
Administrator of the Estate of Angelo L.
Purnell, et al.,

Plaintiffs,

-v-

5:04-CV-68

JOHN MCPHILLIPS, Facility Health Services
Director, Hale Creek Alcohol and Substance
Abuse Correctional Treatment Center, et al.,

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

Defendants.

MAR 23 2007

DAVID N. HURD
United States District Judge

LAWRENCE K. BAERMAN, Clerk
UTICA

ORDER

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on March 23, 2007, in Albany, New York, it is hereby

ORDERED that

1. Defendants' motion for summary judgment is GRANTED in part and DENIED in part;
 2. The Second and Seventh Causes of Action alleging due process are DISMISSED; and
 3. Remaining for trial are the First, Sixth, and Eighth Causes of Action.
- IT IS SO ORDERED.


United States District Judge

Dated: March 23, 2007
Utica, New York.